

"Express Mail" mailing label number EL893497304 US

Date of Deposit: January 31, 2003

#13  
RECEIVED  
FEB 12 2003  
TECH CENTER 1600/2900  
Case No. 659/764

RECEIVED  
2003 FEB -3 PM 2:32

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Gary L. Shanklin et al.

Serial No.: 09/753,136

Examiner: Sharon L. Howard

Filed: December 29, 2000

Group Art Unit: 1615

For: ANTI-VIRAL LOTION  
TISSUE, AND METHODS  
FOR MAKING AND USING  
THE SAME

BOARD OF PATENT APPEALS  
AND INTERFERENCES

02/11/2003 RHARHON 00000012 09753136 NOTICE OF APPEAL FROM THE EXAMINER  
01 FC:1402 TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
320.00 QP

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

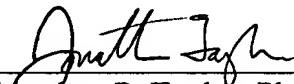
Applicant hereby appeals to the Board of Appeals from the decision dated October 2, 2002 of the Examiner finally rejecting Claims 1-5, 10-18, 23-25, and 27-29. It is noted for the record that, in view of Applicant's election of species included in the Response to Office Action filed July 11, 2002, Claims 1-7, 10-20, and 23-30 are pending in the application.

The item(s) checked below are appropriate:

1.  An extension of time to respond to the final rejection was filed on this same date for one (1) month.
2.  A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3.  Fee \$320.00 Other than a Small Entity  
 Enclosed  
 Not required (Fee paid in prior appeal)  
 Charge to Deposit Account No. 23-1925 (One additional copy of this Notice enclosed herewith)  
 The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
4.  I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: January 31, 2003

  
\_\_\_\_\_  
Jonathan P. Taylor, Ph.D.  
Registration No. 48,338  
Agent for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610  
(312)321-4200

RECEIVE

FEB - 5 2003

TECH CENTER 1600/2900

TRANSMITTAL LETTER			Case No. 659/764
Serial No. 09/753,136	Filing Date December 29, 2000	Examiner Sharon L. Howard	Group Art Unit 1615
Inventor(s) Gary L. Shanklin et al.			
Title of Invention Anti-Viral Lotion Tissue, and Methods for Making and Using the Same			

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences, and return postcard.

- Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- Applicant claims small entity status. See 37 CFR 1.27.
- Petition for a one month extension of time and check for \$110.
- No additional fee is required.
- The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity		or	Other Than Small Entity	
Rate	Add'l Fee		Rate	Add'l Fee
x \$9 =			x \$18 =	
x 42 =			x \$84 =	
+ \$140 =			+ \$280 =	
	Total add'l fee	\$		Total add'l fee \$

- Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$320 to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Jonathan P. Taylor, Ph.D.  
Registration No. 48,338  
Agent for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200

"Express Mail" mailing label number EL893497304 US

Date of Deposit: January 31, 2003

RECEIVED  
203 FEB - 3 PM 2:31  
BOARD OF PATENT APPEALS  
AND INTERFERENCES